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# Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015

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SOUTH AUSTRALIA

GR Notice No. 12 of 2015  
**Gambling Codes of Practice (Predictive  
Monitoring) Variation Notice 2015**

[30 July 2015]

By this notice, the Independent Gambling Authority varies the notice prescribing advertising and responsible gambling codes of practice, as follows:

**1 Citation, commencement, authorising provisions, etc**

- (1) This notice may be cited as the Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015.
- (2) This notice comes into operation on 1 December 2015.
- (3) This notice is authorised by—
  - (a) section 6A of the *Authorised Betting Operations Act 2000*, in particular section 6A(9);
  - (b) section 41A of the *Casino Act 1997*, in particular section 41A(9);
  - (c) section 10A of the *Gaming Machines Act 1992*, in particular section 10A(10); and
  - (d) section 13B of the *State Lotteries Act 1966*, in particular section 13B(8).

**2 Purpose**

This notice varies the Gambling Codes of Practice Notice 2013<sup>1</sup> to delay the commencement of the requirement that acceptable loyalty programs include a facility for predictive monitoring of the patterns of gamblers' gambling behaviour.

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<sup>1</sup> GR Notice No. 8 of 2013, *South Australian Government Gazette*, 18 December 2013 (No. 81 of 2013), pages 4798–4844, varied—by the Gambling Codes of Practice (In-Venue Messaging) Variation Notice 2014, GR Notice No. 1 of 2014, *South Australian Government Gazette*, 20 February 2014 (No. 14 of 2014), pages 1014–1024; by the Gambling Codes of Practice (General) Variation Notice 2015, GR Notice No 6 of 2015, *South Australian Government Gazette*, 26 March 2015 (No. 19 of 2015), pages 1266–1271; and by the Gambling Codes of Practice (Premium Gaming) Variation Notice 2015, GR Notice No. 8 of 2015, *South Australian Government Gazette*, 7 May 2015 (No. 28 of 2015), pages 1665–1666.

*South Australia*  
*Gambling Codes of Practice (Predictive Monitoring) Variation*  
*Notice 2015*

**Clause 3**

**GR Notice No. 12 of 2015**

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**3 Variation of clause 1(2)(c)(ii)—commencement**

In clause 1(2)(c)(ii) of the Gambling Codes of Practice Notice 2013, for “clause 55(2)—on 1 January 2016”, **substitute—**

“clause 55(2)—on 1 July 2016”.

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## SOUTH AUSTRALIA

# Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015

## NOTES ON CLAUSES

This notice varies the Gambling Codes of Practice Notice 2013 for the purpose of delaying the commencement date for the introduction of predictive monitoring.

*Clause 1* sets out the title of the notice and the commencement dates of its provisions.

*Sub-clause (1)* provides for the citation.

*Sub-clause (2)* provides for commencement of the notice on 1 December 2015. Ministerial certification is not required for commencement on this date.

*Sub-clause (3)* recites the authorising provisions.

*Clause 2* sets out the purpose of the variation notice to defer the commencement of a provision of the responsible gambling codes of practice applying to all commercial gambling providers which would require loyalty programs to include a facility for predictive monitoring of the patterns of gamblers' gambling activity, with the purpose of intervening in cases where there is a risk of problem gambling.

The requirement for predictive monitoring is an outcome of the Authority's 2011–13 codes of practice review. The concept assumes that loyalty systems already contain a rich set of the customer activity data. Changes in activity will, in the absence of a harmless explanation, point to the need to more closely monitor or intervene with the customer. (Contrast, in relation to a particular customer, an increase in betting activity around a racing cup carnival or football finals with a shift from weekly activity on a local race meeting to bets being placed hourly on mornings throughout the working week. Similar considerations apply in gaming, say when a player shifts from spending \$50 weekly to \$100 daily.)

The requirement was implemented with a 1 January 2016 deadline. Enquiries made by the Authority with the peak bodies for gaming machine licensees—which are major users of loyalty programs—indicate that their incumbent providers of loyalty programs are unlikely to have a product ready for market by that deadline. Unless the deadline were extended, those loyalty programs would have to be discontinued at the end of 31 December 2015.

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*Notes on clauses*

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Feedback from those peak bodies indicated some uncertainty as to what would be required of a loyalty program for it to be compliant and a suggestion that the requirement be deferred until the deadline for gaming machine licenses to comply with new requirements for automated risk monitoring (in December 2018).

However, the Authority is aware of a technology vendor which claims to have a product ready for market now.

The Authority has accepted that there needs to be further, detailed engagement with all gambling providers over (a) what the Authority expects of predictive monitoring and (b) what products are likely to be available to gambling providers in the medium term. On that basis the Authority has decided to defer commencement of clause 55(2) for a short period to enable that engagement to take place and for any necessary policy changes to be implemented by variations to the codes of practice.

*Clause 3* implements the decision, to defer commencement of clause 55(2), by substituting the operative words in clause 1(2)(c)(ii) to set the commencement date as 1 July 2016. (This sort of variation can be effective at any date prior to the date of commencement set out in the clause.)